

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

SARA G. PERDUE, as Executor of the  
Estate of Majorie S. Newton, Deceased,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC.;  
TEVA PHARMACEUTICALS USA,  
INC.; BARR LABORATORIES, INC.;  
and ZYDUS PHARMACEUTICALS  
USA, INC.,

Defendants.

**JUDGMENT**

No. 4:15-CV-208-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendants' motions to dismiss made pursuant to Federal Rule of Civil Procedure 12(b)(6).

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered July 20, 2016, and for the reasons set forth more specifically therein, that the defendants' motions to dismiss are granted. Plaintiff's claims against defendants Teva Pharmaceuticals USA, Inc., Barr Laboratories, Inc., and Zydus Pharmaceuticals USA, Inc. are dismissed with prejudice. Plaintiff's claims against defendant Wyeth Pharmaceuticals, Inc. are dismissed without prejudice.

**This Judgment Filed and Entered on July 20, 2016, and Copies To:**

Edward K. Wood, Jr. (via CM/ECF Notice of Electronic Filing)  
Joseph A. Schouten (via CM/ECF Notice of Electronic Filing)  
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Vincent R. Lodato (via CM/ECF Notice of Electronic Filing)

July 20, 2016

JULIE RICHARDS JOHNSTON, CLERK  
/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk